APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/869,254	06/26/2001	Yasushi Takahashi	450101-02373	2265

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FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER
VU, THANH T

ART UNIT	PAPER NUMBER
2174	

DATE MAILED: 10/12/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

-- *The MAILING DATE of this communication appears on the cover sheet with the correspondence address* --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on _22 July 2005_.
2a)☐ This action is **FINAL.**   2b)☒ This action is non-final.
3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) _1,9,32,41-48,57,64-66 and 76_ is/are pending in the application.
　　4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5)☐ Claim(s) _____ is/are allowed.
6)☒ Claim(s) _1,9,32,41-48,57,64-66 and 76_ is/are rejected.
7)☐ Claim(s) _____ is/are objected to.
8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.
10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.
　　Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
　　Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
　　a)☐ All b)☐ Some * c)☐ None of:
　　　1.☐ Certified copies of the priority documents have been received.
　　　2.☐ Certified copies of the priority documents have been received in Application No. _____.
　　　3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
　　* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)
1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
　　Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413)
　　Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

This communication is responsive to Amendment, filed 07/22/2005.

Claims 1, 9, 32, 41-48, 57, 64-66, 76 are pending in this application. In the Amendment,

claims 1, 9, 33, 41, 57, 65-66, 76 were amended.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 64 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for

failing to particularly point out and distinctly claim the subject matter which applicant regards as

the invention. Claim 64 is dependent of claim a canceled claim 63. The examiner assumed claim

64 was canceled.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the

basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1 and 33 are rejected under 35 U.S.C. 102(e) as being anticipated by Zamara et al.

("Zamara", U.S. Pat. No. 5,917,990).

Per claim 1, Zamara teaches video information editing method comprising the steps of:

delimiting at timing of a delimiting instruction a regular edition video, constituted by continuous dynamic images recorded along with recording position information or time lapse information, into shots as units of dynamic images or into scenes each containing at least one shot with the recording position information or the time lapse information associated with the shots or scenes (col. 3, lines 10-20);

preparing an evaluation value of each of the shots or each of the scenes on the basis of the information provided corresponding to each of the shots or each of the scenes (col. 3, lines 14-47);

wherein the information provided includes semantic evaluation information and information relating to a presence/absence of a single or a plurality of video characteristic items (col. 3, lines 25-34 and lines 39-47); and

selecting from the regular edition video the shots or the scenes such that each of the evaluation values of the shots or the scenes satisfies a predetermined condition (col. 3, lines 50-59; col. 4, lines 27-38).

Claim 33 is rejected under the same rationale as claim 1.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 9, 41-48, and 57 are rejected under 35 U.S.C. 103(a) as being unpatentable over

Zamara et al. ("Zamara", U.S. Pat. No. 5,917,990) and Ratakonda (U.S. Pat. No. 5,995,095).

Per claim 9, Zamara teaches a video information editing method comprising the steps of:

delimiting at timing of a delimiting instruction a regular edition video, constituted by continuous

dynamic images recorded along with recording position information or time lapse information,

into shots as units of dynamic images or into scenes each containing at least one shot with the

recording position information or the time lapse information associated with the shots or scenes

(col. 3, lines 10-20);

preparing a semantic evaluation value of each of the scenes on the basis of the

information provided corresponding to each of the scenes (figs 3 and 4; col. 3, lines 20-47 and

lines 51-58; col. 4, lines 30-34; col.4, line 60 – col. 5, lines 15),

selecting from the regular edition video the scenes such that each of the semantic

evaluation values of the scenes satisfies a predetermined first condition (figs 3 and 4; col. 3, lines

20-47 and lines 51-58; col. 4, lines 30-34; col.4, line 60 – col. 5, lines 15); and

preparing an evaluation value of at least one of the shots included in each of the selected

scenes on the basis of the information provided corresponding to a single or a plurality of video

characteristic item of the shots (figs. 3 and 4; col. 3, lines 20-47 and lines 51-58; col. 4, lines 30-

34; col.4, line 60 – col. 5, lines 15),

selecting the shots such that each of the evaluation values of the shots satisfies a

predetermined second condition (figs. 3 and 4; col. 3, lines 20-47 and lines 51-58; col. 4, lines

30-34; col.4, line 60 – col. 5, lines 15).

Zamara does not teach wherein the first and the second condition are set in accordance with type of preview, the type of preview being selected from a plurality of previews, which are set for different purposes. However, Ratakonda teaches the first and the second condition are set in accordance with type of preview, the type of preview being selected from a plurality of previews, which are set for different purposes (col. 3, lines 40-52; col. 5, lines 48-55). Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention to include the teaching of Ratakonda in the invention of Zamara in order to provide a method for creating a hierarchical, multi-level summary wherein each level corresponds to a different level of detail.

Claim 41 is rejected under the same rationale as claim 9.

Per claim 42, Zamara teaches the video information editing device as claimed in claim 41, further comprising means for, if the length of a video produced by connecting selected shots exceed a predetermined video time, modifying at least one of the predetermined first condition and second condition and repeating the processing until the length of the video becomes equal to the predetermined video time (col. 4, lines 14-20, lines 34-38, lines 50-55).

Per claim 43, Zamara teaches the video information editing device as claimed in claim 41, wherein the predetermined first condition is that an absolute value of the evaluation value related to the scene reaches a predetermined threshold value (col. 3, lines 40-47), and

wherein with respect to the integration value of the evaluation value related to each of the scenes along the scene transition, the scene is a peak scene when the continuous increase of the integration value up to a scene exceeds a predetermined first gap value and the absolute value of the continuous decrease of the integration value after that scene exceeds a predetermined second

gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15),

while the scene is a valley scene when the absolute value of the continuous decrease of the integration value up to a scene exceeds a predetermined third gap value and the continuous increase of the integration value after that scene exceeds a predetermined fourth gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; and col. 4, lines 60- col. 5, lines 15; col. 4, lines 27-38), and

a threshold value is determined for each area between the peak or valley scene and the adjacent valley or peak scene (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; and col. 4, lines 60- col. 5, lines 15; col. 4, lines 27-38).

Per claim 44, Zamara teaches the video information editing device as claimed in claim 41, wherein with respect to the integration value of the evaluation value related to each of the scenes along the scene transition, the scene is a peak scene when the continuous increase of the integration value up to a scene exceeds a predetermined first gap value and the absolute value of the continuous decrease of the integration value after that scene exceeds a predetermined second gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15),

while the scene is a valley scene when the absolute value of the continuous decrease of the integration value up to a scene exceeds a predetermined third gap value and the continuous increase of the integration value after that scene exceeds a predetermined fourth gap value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col. 4, lines 60- col. 5, lines 15), and

the predetermined first condition is applied to the scenes on the upward slope to the peak from

the adjacent valley before the peak and the scenes on the downward slope immediately after the

peak, on the basis of the magnitude of the increase of the integration value of the valley scene

and the adjacent peak scene after the valley, or on the basis of the ranking of the magnitude of

the increase of the integration value (figs 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines

20; col. 4, lines 60- col. 5, lines 15)

Per claim 45, Zamara teaches the video information editing method as claimed in claim

43, wherein the predetermined condition is that the absolute value of the scene evaluation value

relate to the scenes reaches a predetermined threshold value, and the threshold value is set in

accordance with the slope from the valley to the adjacent peak or the downward slpe from the

peak to the adjacent valley (figs. 3 and 4; col. 3, lines 20-45; col. 3, lines 60-col. 4, lines 20; col.

4, lines 27-38).

Per claim 46, Zamara teaches the video information editing method as claimed in claim

43, wherein the predetermined first condition is that the absolute value related to the scenes

reaches a predetermined threshold value, and when each of the evaluation values is formed by a

positive or negative value, the absolute value of the threshold value applied to the positive value

is made equal to or smaller than the absolute value of the threshold value applied to the negative

evaluation value (col. 3, lines 40-47).

Per claim 47, Zamara teaches the video information editing method as claimed in claim

41, wherein the shot evaluation value is a value obtained by adding a value obtained by carrying

out predetermined weighting on each of the video characteristic items including at least the

presence of a speech, the volume of a predetermined level or higher, the appearance of a

specified actor/actress, or the special picture effect in the corresponding part of the regular

edition video, with respect to each of the items (col. 3, lines 14-19, and lines 35-47).

Per claim 48, Per claim 40, Zamara teaches the video information editing method as

claimed in claim 47, wherein with respect to the shot evaluation value, the weighting value on

the item related to the appearance of a specified actor/actress is made greater than the weighting

values on the other items (col. 3, lines 3, lines 14-19; col. 5, lines 52-65).

Per claim 57, Zamara teaches a video information editing device comprising:

means for delimiting at timing of a delimiting instruction a regular edition video,

constituted by continuous dynamic images recorded along with recording position information or

time lapse information, into shots as units of dynamic images or into scenes each containing at

least one shot with the recording position information or the time lapse information associated

with the shots or scenes (col. 3, lines 10-20);

means for preparing an semantic evaluation value of each of the scenes on the basis of the

information provided corresponding to each of the scenes and means for selecting from the

regular edition video the scenes such that each of the semantic evaluation values of the scenes

satisfies a predetermined first condition (figs 3 and 4; col. 3, lines 20-47 and lines 51-58; col. 4,

lines 30-34; col.4, line 60 – col. 5, lines 15);

means for preparing an evaluation value of at least one of the shots included in each of

the selected scenes on the basis of the information provided corresponding to a single or a

plurality of video characteristic times of the shots and means for selecting the shots such that

each of the evaluation values of the shots satisfies a predetermined second condition (figs. 3 and

4; col. 3, lines 20-47 and lines 51-58; col. 4, lines 30-34; col.4, line 60 – col. 5, lines 15); and

means for coding the information of the recording position information or the time lapse

information corresponding to each of the selected shots and data including at least the shot

evaluation value (col. 3, lines 11-13; col. 5, lines 56-60).

Zamara does not teach wherein the first and the second condition are set in accordance

with type of preview, the type of preview being selected from a plurality of previews, which are

set for different purposes. However, Ratakonda teaches the first and the second condition are set

in accordance with type of preview, the type of preview being selected from a plurality of

previews, which are set for different purposes (col. 3, lines 40-52; col. 5, lines 48-55). Therefore,

it would have been obvious to one of ordinary skill in the art at the time of the invention to

include the teaching of Ratakonda in the invention of Zamara in order to provide a method for

creating a hierarchical, multi-level summary wherein each level corresponds to a different level

of detail.

Claims 65-66, and 76 are rejected under 35 U.S.C. 103(a) as being anticipated by

Hampapur et al. ("Hampapur", U.S. Pat. No. 6,738,100) and Ratakonda (U.S. Pat. No.

5,995,095).

Per claim 65, Hampapur teaches a method for generating a preview from a video

comprising the steps of:

accessing a segment of the video (fig. 4; col. 3, lines 8-25);

establishing a plurality of shots from the segment of the video (col. 5, lines 20-25);

providing semantic evaluation information related to content of one or more of the

plurality of shots (fig. 4; col. 6, lines 16-30 and lines 33-42);

evaluating a single or plurality of video characteristics of one or more of the plurality of

shots (fig. 4; col. 6, lines 16-30 and lines 33-42);

selecting particular shots as a function of the semantic evaluation information and the

single or plurality of video characteristics (fig. 4; col. 6, lines 16-30 and lines 33-42; col. 7, lines

8-28); and

generating the video by concatenating the selected particular shots such that the video has

a predetermined time duration (fig. 4; element 204; col. 7, lines 20-28).

Hampapur does not teach wherein selecting particular shots is performed using

predetermined condition with a type of preview, the type of preview being selected from a

plurality of previews, which are set for different purposes. However, Ratakonda teaches

selecting particular shots is performed using predetermined condition with a type of preview, the

type of preview being selected from a plurality of previews, which are set for different purposes

(col. 3, lines 40-52; col. 5, lines 48-55). Therefore, it would have been obvious to one of ordinary

skill in the art at the time of the invention to include the teaching of Ratakonda in the invention

of Hampapur in order to provide a method for creating a hierarchical, multi-level summary

wherein each level corresponds to a different level of detail.

Claim 66 is rejected under the same rationale of claim 65.

Claim 76 is rejected under the same rationale as claim 66.

Response to Arguments

Applicants' arguments in the Amendment have been fully considered but are not

persuasive.

Applicant's primary argument is that Zamara does not teach "the information provided includes semantic evaluation information and information relating to a presence/absence of a single or a plurality of video characteristic items". The examiner does not agree because Zamara reads on the claim language of the information provided includes semantic evaluation information and information relating to a presence of a single video characteristic item (col. 3, lines 25-34 and lines 39-47).

Inquiries

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh T. Vu whose telephone number is (571) 272-4073. The examiner can normally be reached on Mon-Thur and every other Fri 7:30 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine L. Kincaid can be reached on (571) 272-4063. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

T. Vu

KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100